

CITY OF HAYWARD AGENDA REPORT

Meeting Date: 9/20/01

Agenda Item: 2

TO:

Planning Commission

FROM:

Norm Weisbrod, Project Planner

SUBJECT:

I. General Plan Amendment (GPA 01-110-04) - Request to Amend the General Plan Designation from Industrial Corridor (IC) to Retail and Office Commercial:

II. Zone Change ZC-01-190-07 Amend the Zoning District from Industrial (I) to Neighborhood Commercial District (CN):

III. Site Plan Review SPR 01-130-24 Site Plan Review for Neighborhood Shopping Center.

Ramon J. and Danilo J. Catbagan (Applicant) and Sherman L. Balch (Owner)

This project site is located on the west side of Stratford Road between Industrial Parkway West and Pacheco Way.

RECOMMENDATION

It is recommended that the Planning Commission recommend to the City Council:

- 1. Certification of the Negative Declaration;
- 2. Approval of the General Plan Amendment;
- 3. Approval of the Rezoning; and
- 4. Site Plan Review based on the findings in the staff report (Attachment A).

BACKGROUND

Setting

The applicant proposes developing this property with a small neighborhood shopping center. This requires the following actions:

- Amend the General Plan from its present Industrial Corridor (IC)) designation to Retail and Office Commercial.
- Amend the zoning of the property from Industrial (I) District to Neighborhood Commercial (CN) District.
- Site Plan Review of the development,

This property is located on the west side of Stratford Road between Industrial Parkway West and Pacheco Way. The property has an area of 23,000 square feet and is presently undeveloped. The site is zoned Industrial (I) and the General Plan designation is Industrial Corridor. The surrounding land use is as follows:

South - Various industrial warehouse buildings and uses, zoned Industrial (I) District

West - City of Hayward storm water pumping facility, zoned Industrial (I) District

North - Single-family homes known as Stratford Village, zoned Residential Single-Family Special Lots Standards Combining District (RSB4) District

East - An undeveloped 12.26-acre parcel with a pending application for a 91 single-family cluster home development, zoned *Industrial* (I) District.

Details of Proposal

Site Plan

The project site is a 23,000 square foot parcel with frontage on Stratford Road, Industrial Parkway West and Pacheco Way. The proposed 6,000 square foot building will front on Stratford Road and back up to the City of Hayward storm water pumping station. A 14-foot to 20-foot wide building setback will be provided on the Industrial Parkway West street frontage and a 10-foot wide building setback will be provided on the Pacheco Way street frontage. Access to the site would be from both Stratford Road and Pacheco Way. An 11-foot wide - concrete walkway with planters would provide pedestrian access across the front of the center and a portion of each side. This will provide an attractive outdoor seating area for a restaurant or coffee/espresso shop and will enhance the appearance of the building from the street. The architectural style of the building, the building height, and the landscaped setback from the surrounding streets will be compatible with the surrounding residential neighborhood. The architect has been sensitive to the close relationship between this center and the adjacent residences.

Traffic Circulation and Parking

Two-way access driveways are located on both Stratford Road and Pacheco Way. A total of 31 parking spaces are provided consisting of 23 standard stalls, 9 compact stalls and 2 handicap

parking spaces. This results in a parking ratio of one space per 200 square feet of building area and complies with the parking requirement for a commercial property where the exact uses are unknown.

There is on street parking available on Pacheco Way if instances occurred when the shopping center parking was not adequate. Homes fronting on Welford Lane back up to the north side of Pacheco Way and since they have no access to the street, they do not use it for parking. The only uses on the south side of the street are the City pumping facility and a mini-storage warehouse. Both have adequate on-site parking. On the south side of Pacheco Way are the wastewater pumping station and a mini-storage warehouse. Neither of these generates any on-street parking. Pacheco Way will therefore be available for any overflow parking from the shopping center.

Floor Plan

The floor plan conceptually shows how the building can be divided up into five tenant spaces ranging in size from 960 square feet to 1688 square feet. These are conceptual tenant spaces to illustrate how the center can be marketed. Space No. 1 is provided with an outdoor seating area. The developer is negotiating with a potential coffee/espresso shop that will provide outdoor seating for its customers. This could be a very attractive element at this corner of the site.

Building Elevations

The building exterior is stucco with a with a mission style concrete tile roof. The building will have a tower element with a clock and decorative glass block. Architectural enhancements include the use of a wooden trellis over some of the storefront windows, tile inset under some of the windows, light blue aluminum frame storefront windows and a decorative cap on top of the parapet wall. The rear-building wall, which is visible from Industrial Parkway West and Pacheco Way, has been provided with architectural embellishment including inset panels, a decorative parapet cap, a building base and a horizontal relief strip below the parapet cap. Building height to the eave is 14 feet, the top of the parapet is 20 feet 3 inches and to the top of the tower element is 31 feet 6 inches. This is well below the 40-foot maximum height limit permitted in the Neighborhood Commercial district and equivalent to the maximum 30-foot building height limit in the surrounding residential neighborhood.

Signs

On the portion of the building with the sloping roof and eave, signs consisting of individual letters will be placed on the wall between the top of the windows and the eave centered over each entry door. For the section of the building with a flat roof, wall signs consisting of individual letters will be located in the area below the top of the parapet wall and the wood trellis over the windows. A monument sign is proposed at the Industrial Park West and Stratford Road corner of the site. The building has unobstructed visibility from Industrial Parkway West and from Stratford Road. The proposed wall signs on building walls facing those two streets will give excellent identification for the shopping center. Due to the small scale of the center and its visibility, it is not recommended that the monument sign be permitted.

Landscaping

The three street frontages of the project will be provided with a 10-foot to 14-foot wide strip of landscaping. Landscaping materials will consist of a combination of trees, shrubs and groundcover. Two existing mature trees on the Industrial Parkway West frontage will be retained and the sidewalk will meander around one of the trees. All of the new trees will be 24-inch box size. Lawn will be planted at the two corners and adjacent to the driveways to provide adequate sight distance for vehicles leaving the site. Annual color will also be provided at the Industrial Parkway West and Stratford Road corner to enhance the appearance of the center from this intersection.

DISCUSSION

General Policies Plan

The General Policies Plan supports development of new commercial centers in areas where there has been residential growth and there may be a lack of neighborhood convenience centers. The area to the north has seen growth in new housing units and there is a recognized need for retail and service commercial uses that support the adjacent residential area. The General Policies Plan states that attractive commercial centers will be fostered in land use decisions in these situations. And while this proposal removes the possibility of developing the property with an industrial use, the site is relatively small and the proposed commercial use would be supportive of the surrounding industrial activity by providing services that are desirable for use by the employees as well.

Granting the request to designate and zone the property for a neighborhood commercial center will be in conformance with the General Policies Plan and will provide convenient commercial uses to serve the surrounding residential and industrial areas.

Zoning Ordinance

The purpose of the Industrial (I) Zoning District is to promote and encourage the development of industrial uses in suitable areas. This has taken place in the surrounding area especially on the south side of Industrial Parkway West opposite the subject property. Under the Industrial (I) Zoning the required building setback (yard) on all three adjacent streets (Industrial Parkway West, Stratford Road and Pacheco Way) is 20 feet. This is because of the adjacent residential zoning and the requirement for additional landscaping along corridor streets. The combination of front and side yard setbacks substantially reduces the developable portion of the site. It is possible to develop an industrial building on this property but the building square footage would be small limiting the potential types of uses.

The rezoning of this property to Neighborhood Commercial District (CN) will provide shopping for the residents in this immediate area, for commuters on Industrial Parkway West and for employees in the surrounding industrial area. This will enhance the adjacent residential neighborhood, and provide a buffer between it and the industrial corridor.

<u>Design</u>

The shopping center site has been designed to provide convenient access to the site by shoppers. The building design will blend in with the surrounding homes and the building height has been kept at a minimum so as not to have a negative impact on the nearby homes. The landscaping provided along the Stratford Road frontage and the attractive appearance of the building results in an attractive entrance into the neighborhood than the existing undeveloped parcel.

Staff received a letter signed by four residents on Welford Lane whose yards back up to Pacheco Way and the proposed shopping center. They are concerned about impacts from the development on their neighborhood including noise and a decrease in privacy to adjacent residents. They recommend the building be located along the north and west property lines with a portion of the building backing up to Pacheco Way. They suggest that driveways be located on Stratford Road and on Industrial Parkway west. They say this layout will create a separation between the commercial building and the adjacent residents along Welford Lane.

The proposed plan with the building located along the rear property line, provides good visibility of the shopping center from Industrial Parkway West and Stratford and convenient access to and from the center. An L-shaped center would only have access from Stratford Road since the City will not permit an access driveway on Industrial Parkway West. This is because of the traffic volumes and speed and the fact that the driveway would be to close to the intersection. An L-shaped configure also reduces the number of parking spaces, thus reducing the allowable building footprint; given the expressed need for neighborhood-serving uses, maximizing the use of the land for commercial purposes is beneficial. In addition, the rear of the building would face the residential area, which would not present as attractive a streetscape or an inviting pedestrian access as the proposed configuration. In staff's opinion, the conditions of approval relating to noise and hours of operation will result in a project that is compatible, as well as advantageous, to its residential neighbors.

PUBLIC NOTICE

A referral notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. The notice asked for comments on the project. No replies were received. On August 31, 2001, a notice of public hearing and preparation of a Negative Declaration was published in the Daily Review and mailed to property owners and occupants within 300 feet of the project boundaries. The Tennyson-Alquire Neighborhood Association, Fairway Park Neighborhood Association and appropriate public agencies were also notified.

CONCLUSION

Amending the General Plan and rezoning this property for development of a neighborhood shopping center will provide an asset for the residents in the surrounding neighborhoods. The area presently lacks in convenience goods and services. This area has seen substantial growth in

new housing in recent years and a lack of commercial services. The General Plan supports commercial development that will serve this area. If the property is rezoned for neighborhood commercial and the proposed shopping center is not developed, any future commercial development of the property can be subject to site plan review, at the discretion of the Planning Director, as provided for in the Zoning Ordinance under the development requirements of the Neighborhood Commercial District (CN).

Prepared by:

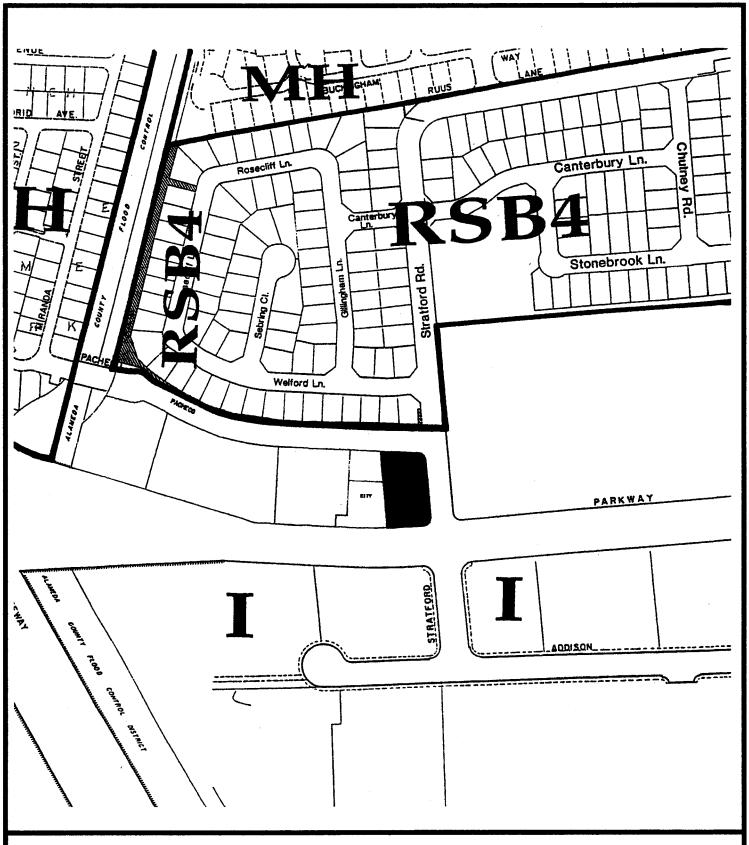
Norm Weisbrod Project Planner

Recommended by:

Dyana Anderly, AICP Planning Manager

Attachments:

- A. Area Map
- B. Findings for Approval
- C. Conditions of Approval
- D. Negative Declaration
- E. Letter from Residents on Welford Lane dated August 13, 2001



Area & Zoning Map

ZC 01-190-07/GPA 01-110-04

Address: NW Corner of Stratford Rd & Industrial Parkway West

Applicant: Sherman L. Balch

Owner: Rassier, etal/Balch Investment Grp/Ramon J. & Danilo J. Catbagan

ATTACHMENT B

General Plan Amendment and Zone Change Application No. 01-110-04 and ZC-01-190-07 Stratford Road and Industrial Parkway West

Sherman Balch (Applicant)
Ramon and Danilo Catbagan (Owners)

FINDINGS FOR APPROVAL

- A. The implementation of General Plan Amendment and Zone Change Application No. 01-110-04 will have no significant impact on the environment, cumulative or otherwise, the project reflects the City's independent judgment, and, therefore, a Negative Declaration has been prepared.
- B. Substantial proof exists that: (1) the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward, (2) The proposed change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans, and (3) if the property were reclassified, all uses permitted would be compatible with present and potential future uses and a beneficial effect will be achieved which is not obtainable under existing regulations in that the uses permitted under the proposed Neighborhood Commercial zoning are compatible with and will directly serve the surrounding residential properties.
- C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified to Neighborhood Commercial in that surrounding streets are developed to their full potential and the property has frontage on and convenient access to a major arterial street.

CONDITIONS OF APPROVAL Site Plan Review Application No. 01-110-04 Northwest Corner of Stratford Road and Industrial Parkway West SEPTEMBER 20, 2001

General

- 1. Site Plan Review Application No. 01-110-04 is approved subject to the specific conditions listed below. This permit becomes void on September 20, 2001, unless prior to that time a building permit application has been accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division 15 days prior to the above date. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
- 2. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
- 3. The applicant shall maintain in good repair all fencing, parking and street surfaces, landscaping, lighting, trash enclosures, drainage facilities, project signs, etc. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence.
- 4. Landscaping shall be maintained in a healthy, weed-free condition at all times and in substantial conformance with the approved landscape plan. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
- 5. No vending machines or other goods or products shall be displayed or sold outside the building, excluding newspaper racks.
- 6. Public telephones shall not be installed outside.
- 7. No outside storage of materials, crates, boxes, etc. shall be permitted anywhere on site, except within the trash enclosure as permitted by the fire code.

- 8. The hours of operation of any business shall be limited to 7:00 a.m. to 10:00 p.m.
- 9. Within 30 days prior to any site alteration, pre-construction surveys for burrowing owls must be conducted. The methods must follow the Department of Fish and Game's survey protocol. If owls are observed during the pre-construction surveys, no impacts will be allowed during the nesting season. Survey results shall be provided to the Planning Director.
- 10. Violation of these conditions of approval is cause for revocation of this permit, subject to a public hearing before the duly authorized reviewing body.

Construction Waste Management Plan

- 11. The applicant is required to submit for review by Solid Waste Program staff an on-site recycling plan. The plan must be implemented during the entire demolition and construction phases, as well as upon occupancy of the site. The plan must 1) show the anticipated start and completion dates of the project; 2) estimate the quantities of construction and demolition waste that will be generated by the project in cubic yards or tons; and 3) estimate the quantities of material that will be recycled, salvaged and disposed of, and identify the vendor(s) or facilities that will be used.
- 12. The applicant must submit for review by the Solid Waste Program staff a Construction & Demolition Debris Recycling Statement.
- 13. The National Pollution Discharge Elimination System (NPDES) standards shall be met. A Notice of Intent permit is required from the Regional Water Quality Control Board prior to the start of any grading. The applicant shall submit a construction Best Management Practice (BMP) program for review and approval by the City prior to the issuance of any building or grading permits. These BMPs shall be implemented by the general contractor and all subcontractors and suppliers of material and equipment. Construction site cleanup and control for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop work order. The NPDES program shall include the following items"
 - a. Gather all construction debris on a regular basis and place them in a dumpster or other container, which is emptied or removed on a weekly basis. When appropriate, use traps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
 - b. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.

- c. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked mud or dirt shall be scraped from these areas before sweeping.
- d. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season (October15), 2) site dewatering activities, or 3) street washing activities, 4) saw cutting asphalt or concrete, in order to retain any debris or dirt flowing into the City storm drain system as necessary. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash.
- e. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill.
- f. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge wash water into street gutters or drains.

Parking/Driveways

- 14. The project, as approved, shall be required to maintain a base level of parking at 31 spaces.
- 15. A bicycle rack(s) with a capacity of at least 4 bicycles shall be included within the development. The design and placement shall be approved by the Planning Director.
- 16. Sidewalks and parking lots must be kept free of litter and debris. Parking lot sweepers shall be limited to daylight hours only; and sweepers shall not be used before 8 a.m. or after 8 p.m. within 50 feet of residential areas.

Landscaping

- 17. Detailed landscaping and irrigation plans, including details of features such as benches, pavement materials, trellises, etc., shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.
 - a. Above-ground utilities shall be screened from the street with shrubs.
 - b. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed and maintained within all landscaped areas.

- c. Parking areas shall include a minimum of one 15-gallon parking lot tree for every 6 parking stalls. The minimum dimension of any new tree well or landscape medial shall be 5 feet, measured from back of curb.
- d. Parking areas shall be buffered from the street with shrubs. Where shrubs are used for buffering, their type and spacing shall create a continuous 30-inch high screen within 2 years.
- e. Landscape planter(s) in the customer walkway in front of the building shall be designed to incorporate benches for pedestrians. The planter size shall be appropriate for the type of plants contained in the structure.
- f. Landscaping shall be installed per the approved landscaping and irrigation plan and a Certificate of Substantial Completion and an Irrigation Schedule shall be submitted prior to issuance of a Certificate of Occupancy.
- 18. On-site sidewalks and flat concrete surfaces shall exhibit a decorative finish, such as inset brick, stamped concrete or exposed aggregate with tile bands. The material shall be approved by the Planning Director.

Design

19. The final colors and materials used on the exterior of the building shall be submitted for approval by the Planning Director.

Trash Enclosures

- 20. The trash enclosure shall be incorporated within the building with the final design subject to approval by the Planning Director prior to the issuance of a building permit. The Applicant must clearly indicate on the site plan the proposed location(s), number and type of refuse and recycling containers and dimensions of each enclosure for trash and recyclables on the site plan. The space provided for the storage of recyclables must be the same size or larger as that provided for trash. Plans must indicate the following:
 - a. A 6-inch wide curb or parking bumper must be provided along the interior perimeter of the enclosure walls to protect them from damage by the dumpster. A minimum space of 12 inches must be maintained between the dumpster and the walls of the enclosure and the recycling container to allow for maneuvering the dumpster.
 - b. A 6-inch wide parking bumper, at least 3 feet long, must also be placed between the dumpster and the recycling bins, in order to secure the refuse dumpster in its designated area.

- c. The enclosure gates and hinges must be flush with the building wall. The gates must open straight out, and the hinges and the gate must be flush with the enclosure wall, in order to allow adequate maneuverability of the dumpster in and out of the enclosure to service it.
- d. The enclosure must be constructed on a flat area with no more than a 2% grade, in order to ensure that the garbage driver can adequately retrieve and return the dumpster(s) from the enclosure.

Signs

- 21. Prior to occupancy and the installation of any signs, the applicant shall submit a Sign Program Application to the Planning Director for review and approval. The signs shall be appropriate to the architectural style of the buildings.
- 22. The sign program shall be governed by the following:
 - a. Signs shall be composed of alpha-numeric individual characters and corporate logos only; there shall be no boxed can signs.
 - b. No pole, freestanding or monument sign shall be allowed for any use on the property.
 - c. Wall signs identifying the uses shall be similar in size and scale.
 - d. No illegal banner signs, portable signs or other illegal signs shall be displayed on the property.

Water Pollution Source Control

- 23. If there are to be any roof-mounted HVAC units, no polluted waters from these units shall be discharged to the storm drain via roof drains. Uncontaminated condensate is acceptable for storm drain discharge.
- 24. No storm water shall be discharged to the sanitary sewer without a Wastewater Discharge Permit, which will be issued only if there is no feasible alternative. This means that if washing takes place in the trash area, the wash water shall be discharged to the sanitary sewer. If this area is covered and protected from storm water runoff, a permit is not necessary.
- 25. The sanitary sewer discharge shall be in compliance with all wastewater discharge regulations, prohibitions and limitations to discharge, including the 300-milligram/liter oil and grease limit.

- 26. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit to the maximum extent practicable the entry of pollutants into stormwater runoff.
- 27. Drains in any wash or process area shall not discharge to the storm drain system. Drains shall discharge into an approved collection system. The collection system is subject to the review and approval of the City

Lighting

- 28. Exterior lighting shall be maintained which is adequate for the illumination and protection of the premises but does not exceed a light level that provides glare to motorist, now spills onto nearby properties. Exterior lighting shall be designed by a qualified illumination engineer, and erected and maintained so that adequate lighting is provided in all public access areas. The fixtures shall be decorative and designed to keep the light from spilling onto adjacent properties. Wall-mounted light fixtures shall not be mounted greater than 12 feet in height. Within the parking lot, the minimum requirement is 1-foot candle of light across the entire surface. Luminaires shall be of a design that complements the architectural style of the building and the landscaping in developing a quality image of the City of Hayward pursuant to the Landscape Beautification Plan and shall be approved by the Planning Director prior to issuance of the building permit. The maximum height of the luminares shall be 18 feet unless otherwise permitted by the Planning Director. The lighting and its related photometric plan shall be reviewed and approved by the Planning Director.
- 29. The developer shall insure that the streets that abut the subject property, or are immediately impacted, are illuminated according to City Standard SD-120. Any additional or modified street lighting shall be designed and installed by the developer in accordance with SD-120 Street Lighting Standards and in cooperation with the City and PG&E. Underground wiring shall be utilized when appropriate. The electroliers shall be in operating condition before occupancy permits are approved.

Mechanical/Utilities

- 30. No mechanical equipment, or solar collectors, may be placed on the roof unless it is incorporated into the design of the roof. Prior to construction, documentation shall be provided that the roof-mounted mechanical equipment is adequately screened.
- 31. Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.
- 32. All utilities located underneath decorative paving areas shall be located within a sleeved conduit. The design of the sleeve shall be approved by the City Engineer.

- 33. Water Department requirements shall be as follows:
 - a. Construction plans shall incorporate all water meters and hydrants.
 - b. The applicant shall connect all unit plumbing to the correct meter as marked by the City before water service is provided.
 - c. A final statement of water main extension costs shall be submitted to the Hayward Water Department prior to application for metered water service.
 - d. Operation of valves in the Hayward Water System shall be performed by Water Bureau Personnel only.
 - e. Prior to issuance of a building permit, the gallon-per-minute water demand shall be shown on plans to determine the proper meter size and approved by the Water Department. The developer shall install reduced pressure backflow preventer for domestic meter and double-check backflow preventer for irrigation meter per City SD201 & 202.
 - f. Installation of a separate irrigation meter to avoid sanitary sewer charges on water used for landscape purposes is recommended.
 - g. Maintain a 6-foot lateral distance between sanitary sewer laterals and city water services. Water mains shall have a ten-foot lateral separation from the sanitary sewer main. Water meters shall be a minimum of two feet clear of top of driveway flares.

Public Safety

34. Building addresses shall be installed on the structure so as to be visible from the street and shall contrast with the building background. The numbers/letters shall have a minimum height of 6" with a ½-inch stroke per UFC 10.301a.

Engineering/Transportation Division

- 35. Application for a building permit shall include a mylar copy of a building permit survey.
- 36. All work in the public right-of-way requires an encroachment permit.
- 37. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer prior to occupancy. The project plan shall identify Best Management Practices (BMPS) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff.

Prior to issuance of a building permit, a drainage plan shall be submitted that meets the approval of the Planning Director, and shall include the following:

- a. That all storm water is conveyed into City of Hayward or Alameda County Flood Control District facilities.
- b. Structural controls such as oil/water separator, sand filter or fossil filter or other approved devices per applicant's discretion which accomplish the same shall be installed to intercept and treat storm water prior to discharging to the storm drain system. The design, location, and a maintenance schedule shall be submitted to the City Engineer for review and approval prior to the issuance of a building permit.
- c. Erosion control measures to prevent soil, dirt and debris from entering the storm drain system during construction, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
- d. The labeling of all on-site storm drain inlets in the shopping center with "No Dumping Drains to Bay," using approved methods approved by the City.
- e. The cleaning of all storm drains in the shopping center at least once a year immediately prior to the rainy season (October 15th). The City Engineer may require additional cleaning.
- f. No storm water shall be discharged to the sanitary sewer without a Wastewater Discharge Permit, which will be issued only if there is no feasible alternative. This means that if washing takes place in the trash area, the wash water shall be discharged to the sanitary sewer. If this area is covered and protected from storm water runoff, a permit is not necessary.
- g. Drains in any wash or process area shall not discharge to the storm drain system. Drains shall an approved collection system. The collection system is subject to the review and approval of the City Engineer prior to the issuance of a building permit.
- 38. Construction noise from the development of this site shall adhere to standard restrictions on hours and days of operation as specified in the City of Hayward Municipal Code, Article 1, Section 4.103(2).
- 39. Water Pollution Source Control requirements shall include but not be limited to the following:
 - a. No polluted waters from HVAC units shall be discharged to the storm drain via roof drains. Uncontaminated condensate is acceptable for storm drain discharge.

- b. All wastewater and washing operations shall be discharged to the sanitary sewer and not the storm drain, including mat cleaning and any washing of the trash area.
- c. The sanitary sewer discharge from this facility shall be in compliance with all wastewater discharge regulations, prohibitions and limitations to discharge, including the 300-milligram per liter oil and grease limit.
- d. Materials, gasoline spill, oil spill, heavy stains, radiator fluid, litter, etc. shall be picked-up by dry methods and sweeping so as not to pollute storm water runoff.
- e. All discharges and connections shall require approval from Water Pollution Source Control.

Utilities

- 40. Repair and replace any damaged frontage improvements as determined by the City Engineer.
- 41. The design, location, maintenance requirements, and maintenance schedule for any stormwater quality treatment structural controls shall be submitted to the City for review and approval prior to the issuance of a building permit.
- 42. Retaining walls, if required, shall be concrete or masonry block. The design and location shall be approved by the Planning Director.
- 43. A grading and drainage plan shall be submitted that meets approval of the City Engineer. Drainage shall be designed so that run-off is collected in on-site catch basins and directly delivered to curb drains per City of Hayward SD-118. All catch basins shall be equipped with fossil filters.

PRIOR TO FINAL OCCUPANCY

Landscaping

44. Landscaping shall be installed per the approved building permit plans. A Certificate of Substantial Completion and Irrigation Schedule shall be submitted by the project landscape architect prior to the issuance of a Certificate of Occupancy.

Engineering/Transportation Division

45. Prior to final inspection, City of Hayward Supplemental Building Construction & Improvement Tax, City of Hayward Construction & Improvement Tax, and Hayward Unified School District Fees shall be paid.

Construction Waste Management Plan

46. A Debris Recycling Summary Report is required at the conclusion of the project.



FORNIA	Env.	ironi	nental Checklist Form		
1.	Project title: GPA 01-110-04,	ZC 0	1-190-07 & SPR 01-130-24		
2.	Lead agency name and address	s: Cit	y of Hayward		
3.	Contact person and phone num	nber:]	Norm Weisbrod, Project Pla	nner,	510.583.4214
4.	Project location: West side of and Pacheco Way on the nor		ford Road between Industria	al Par	
5.	Project sponsor's name and add	dress:	John Rassier/Sherman Balc	h	
6.	General plan designation: Ind	ustria	al Corridor (Z C) 7. Zo	oning:	Industrial (I) District
8.	Description of project:				
	This site is located on the we and Pacheco Way. The area frontage on Stratford Road a Pacheco Way. The proposal District to Neighborhood Co square foot neighborhood shrear property line facing Str building and Stratford Road Road and Pacheco Way with building will be single story	of thand so is to omme atford. The	e parcel is approximately 23, econdary frontage on Indust rezone the property from the reial (CN) District and develong center building. The build Road. Parking will be locate proposed access is two-way ccess proposed on Industrial	,000 s rial P e curr op the ding v ted be drive	quare feet with major arkway West and ent Industrial (I) e site with a 6,000 will be located along etween the front of the ways on both Stratford way West. The
9.	Surrounding land uses and sett	ting:			
	The property immediately weight a storm water pumping is zoned Industrial (I) Distri 12-acre vacant parcel proposith the proposal. To the not 5,000 square foot lots.	facil ct and sed fo	ity. The remainder of the pr d developed with various indu r development with 91 single	opert ustria -fami	y to the west and south l uses. To the east is a ly homes concurrently
10.	Other public agencies whose a Alameda County Flood Con			rict	
ENVIE	RONMENTAL FACTORS POT	TENT	IALLY AFFECTED:		
	vironmental factors checked be pact that is a "Potentially Signif				
	Aesthetics		Agriculture Resources		Air Quality
\boxtimes	Biological Resources	$\overline{\boxtimes}$	Cultural Resources	\boxtimes	Geology/Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing

Public Services	Recreation	Transportation/Traffic
Utilities / Service Systems	Mandatory Findings of Sig	nificance

DETERMINATION: (To be completed by the Lead Agency)

On the b	asis of this initial evaluation:	
	I find that the proposed project COULD NOT have a significant effa NEGATIVE DECLARATION will be prepared.	fect on the environment, and
	I find that although the proposed project could have a significant there will not be a significant effect in this case because revisions in by or agreed to by the project proponent. A MITIGATED NEGA' be prepared.	the project have been made
	I find that the proposed project MAY have a significant effect of ENVIRONMENTAL IMPACT REPORT is required.	on the environment, and an
	I find that the proposed project MAY have a "potentially significant unless mitigated" impact on the environment, but at ladequately analyzed in an earlier document pursuant to applicable been addressed by mitigation measures based on the earlier analysheets. An ENVIRONMENTAL IMPACT REPORT is required, effects that remain to be addressed.	east one effect 1) has been legal standards, and 2) has sis as described on attached
	I find that although the proposed project could have a significant because all potentially significant effects (a) have been analyzed ad NEGATIVE DECLARATION pursuant to applicable standards, a mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION mitigation measures that are imposed upon the proposed project, no	equately in an earlier EIR or nd (b) have been avoided or TION, including revisions or
Signati	ure and the same of the same o	8/31/p1 Date
N N	Name WEISBROD	CITY OF HAYWOOD
rinte	I Name	Agonoy

	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
Comment: There are several mature trees along the Industrial Parkway West and Stratford Road frontages of the property. It appears the trees are located in the public right-of-way in a location that may interfere with the sidewalk. The Tree Preservation Ordinance states that a permit is required before a tree can be removed or destroyed on undeveloped property. A tree is any woody plant with a trunk circumference of thirty (30) inches or more measured at twenty-four (24) inches above ground level. A tree survey should be conducted on the existing trees along both street frontages. This should include type, size and desirability of saving the tree. The trees should be plated on a topographic map of the site. Consideration should be giver to routing the sidewalk around the trees recommended for saving. The following mitigation measure will reduce the impact a level of insignificance:				
• The existing trees in the public right-of-way on Industrial Parkway West, shall be evaluated by the city landscape architect to determine the condition of the trees and those that are worth saving. Where feasible, the sidewalk shall meander around the trees to be saved. This shall be conducted in conformance with the Preservation of Trees Ordinance.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			\boxtimes	
Comment: See I. a) above.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				
Comment: Because the site is vacant at this time, typical street lights, parking lot lighting, signs and indoor lighting would significantly increase the amount of light emanating from the project site. To reduce the impact to a level of insignificance the following mitigation measure shall be implemented:				
• Lighting shall be designed so that no light spills off-site, especially on adjacent residential properties. This shall be part of the site plan review.				

	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
Comment: As a vacant parcel surrounded by a major arterial, two residential collector streets and industrial development, this site does not have significant value for agriculture uses. Underlying soils are probably not considered prime farmland and the site is not zoned or shown on the General Plan for agricultural use. There are no agricultural uses in the vicinity that might be affected by the proposed commercial development. Therefore, no agricultural resource impacts are anticipated.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				\boxtimes
Comment: See II. a) above.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				
Comment: See II. a) above.				

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

Potentially

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	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impac
a) Conflict with or obstruct implementation of the applicable air quality plan?				
Comment: The traffic volumes associated with this project are not anticipated to be substantial. As a neighborhood shopping center serving the surrounding residential neighborhood, some customers will stop on their way to or from work or will walk or bicycle to the center. This will reduce the vehicle trip generation of the center. Therefore, a significant increase in air emission or deterioration of ambient air quality attributed to the project is not anticipated. It should be noted that the latest information provided by the Bay Area Air Quality Management District (BAAQMD) indicates that the Bay Area is a designated non-attainment area for ozone and particulate matter (PM10). Best management practices (BMP) are required as a condition of approval regarding use of equipment during the grading phase of construction. The project will be conditioned to require that all trucks be covered and that daily street sweeping and site watering be implemented during this phase. In addition, vehicle wheels may be required to be washed before entering the public street.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				\boxtimes
Comment: See III. a) above. c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an analysis of the last state ambient air quality standard (including releasing				\boxtimes
applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
Comment: See III. a) above. d) Expose sensitive receptors to substantial pollutant concentrations?			\boxtimes	
Comment: See III. a) above. e) Create objectionable odors affecting a substantial number of people?				
Comment: The Project site is proposed to be zoned Neighborhood Commercial District (CN) and be developed with a small neighborhood shopping center. In the CN District, the primary uses permitted are the sale of convenience goods and provision for services purchased frequently. These are neighborhood-serving uses that will not create objectionable odors.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impaci
V. BIOLOGICAL RESOURCES Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
Comment: Ruderal species such as wild barley (Oordeum loporinm), ripgut grass (Bromus diandrus) and black mustard (Brassica nigra) dominate the site. These are not sensitive or special status species.				
On June 14, 2001, H.T. Harvey and Associates conducted surveys on a vacant site immediately across the street from this property. The purpose of the survey was to confirm whether Burrowing Owls occupied the site and therefore posed constraints to site development. No Burrowing Owls were observed during any of the surveys but the property was found to be consistent with potential nesting habitat. Because Burrowing Owl habitats are ephemeral, results of the surveys well remain valid for no more than 30 days. If more than 30 days elapse between the time of the last survey and site alteration, additional surveys may be required to ensure that no owls have moved onto the site. This site is similar to the one across the street and can included in subsequent surveys. To reduce the impact to a level of insignificance, the following mitigation measure shall be implemented:				
• A survey for Burrowing Owls (Athlene Cunicularia) shall be conducted on the site prior to issuance of building permits. If Burrowing Owls are found on the site, the applicant shall comply with any mitigation measures recommended by the surveyor.				
There may be some common bird species that occupy vacant parcels and rodents such as pocket gophers [Thomomys sp] and voles [Mircotis sp.] that occupy the site. These species are common to many areas and have no regulatory protective status.				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				
		•		

Comment: See IV. a) above.

	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				\boxtimes
Comment: There are no identified wetlands on the project site.				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			\boxtimes	
Comment: See IV. a) above.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		\boxtimes		
Comment: See IV. a) above.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				\boxtimes
Comment: See IV a) above				

V. CULTURAL RESOURCES -- Would the project:

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?		\boxtimes		

Comment: The project consists of a single story 6,000 square foot commercial building facing Stratford Road and located on the rear property line opposite Stratford Road. The building height to the top of the parapet wall and peak of the sloping roof will be approximately 20 feet. The height to the top of the tower element will be 32 feet. This is equivalent to a two story single-family home and is in scale with the existing singlefamily homes to the north. Under the present zoning, industrial buildings can be developed to an unlimited height and a commercial or office building could be constructed to a height of 40 feet. The implementation of the proposed project will not substantially degrade the existing visual character or quality of the site or the surrounding area and will be compatible in height and design to the surrounding single-family homes if the building height is maintained as proposed and the design of the building is maintained to be compatible with surrounding homes. If they do not develop the proposed plan, once the property is zoned to Neighborhood Commercial (CN) they can build to 40-feet in height. The following mitigation measure will reduce the impact to a level of insignificance:

• Development of the property shall be subject to Site Plan Review to deal with the issues that may develop due to the relationship of development on this property to the adjacent residential development.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		\boxtimes		
Comment: There are no known cultural resources in the project area and it is unlikely that any cultural resources will be encountered during site development. Potential impacts related to unknown cultural resources that may be encountered during the construction phase can be mitigated to a level of insignificant with the implementation of the following mitigation measure:				
In the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.5 and 15126.4 of the California Environmental Quality Act.				• .
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		\boxtimes		
Comment: See V. a) above.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				
Comment: See V. a) above.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				
Comment: See V. a) above.				
VI. GEOLOGY AND SOILS Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		\boxtimes		

	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
Comment: The project site is not within the Earthquake Hazard Zone. The Hayward Fault passes about two miles east of the site, while the San Andreas Fault passes about 12 miles west of the site. It is likely that during the lifetime of any commercial buildings constructed on the site, they will be subject to seismic shaking and other earthquake-induced effects. The Uniform Building Code requires new building construction meet the requirements for construction in earthquake prone areas, which is intended to minimize any potential impacts related to seismic events. The following mitigation measure is recommended in order to reduce potentially significant impacts to a less than significant level:				
• The buildings shall be constructed in accordance with Uniform Building Code requirements relating to earthquake safety in a commercial building.				
ii) Strong seismic ground shaking?				
Comment: See VI. a) i) above.				
iii) Seismic-related ground failure, including liquefaction?		\boxtimes		
Comment: See VI. a) i) above.				
iv) Landslides?				\boxtimes
Comment: This is a flat site with no potential for landslides.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			\boxtimes	
Comment: The project site if fairly level. During construction there could be soil erosion or loss of top soil. The following mitigation measures are recommended to reduce potentially significant impacts related to hydrology and water quality to a less than significant level:				
• Prior to issuance of a grading permit, site-specific hydrologic and hydraulic calculations shall be submitted to the City Engineer for review and approval.				
• Prior to issuance of a grading permit, an erosion control plan shall be developed for the site in order to minimize any erosion that may occur during grading. Protection measures may include implementing silt fencing, hay bales and/or sand bags. The erosion control plan shall be submitted to the City Engineer for review and approval.				
• In accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit, the applicant shall file a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) advising that the project is under consideration for construction. The applicant shall submit proof of approval from the RWQCB to the City Engineer prior to issuance of a grading permit.				
• Until such time as all construction of the development has been completed to the satisfaction of the City Engineer, the applicant shall provide current Erosion and Sediment Control Plans, and amended Storm Water Pollution Prevention Plans (SWPPPs) for all portions of the site where construction is ongoing.				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		\boxtimes		
Comment: See VI b) above.				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		\boxtimes		
Comment: See VI. b) above.			,	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				\boxtimes
Comment: A waste water disposal system is available to serve this site.				

	Potentially Significant Impact	Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				\boxtimes
Comment: The proposed rezoning to Neighborhood Commercial District (CN) and the development of this property with a small neighborhood shopping center, will not permit uses that will create a hazard to the public or the environment through the transport, use, disposal or release of hazardous materials.			•	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
Comment: See VII. a) above.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
Comment: See VII. a) above.			•	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
Comment: This property is not on a list of hazardous materials sites.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
Comment: This site is not located within an airport land use plan or within two miles of a public airport of public use airport.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				\boxtimes
Comment: This project is not within the vicinity of a private airstrip.				

Potentially

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				\boxtimes
Comment: This project will not impair the implementation of or interfere with an adopted emergency response plan.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
Comment: This area is not subject to wild land fires.				
VIII. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements?			\boxtimes	
Comment: A drainage plan will have to be submitted and approved by the City Engineer prior to issuance of building permits for the shopping center project. The San Francisco Bay Regional Water Quality Control Board also has authority over drainage on the site, and their approval is required before issuance of any building permits for the project.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
Comment: This site is undeveloped and rainwater does seep into the groundwater supply. Paving of the site and construction of a new commercial building and paved parking areas will reduce groundwater recharge. Water that now seeps into the ground will be diverted into the storm drainage system. The reduction in recharge will be minor and will not impact any nearby wells.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				

Comment: See VIII. a) above.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			\boxtimes	
Comment: See VIII. a) above.				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				\boxtimes
Comment: See VIII. a) above.				
f) Otherwise substantially degrade water quality?				\boxtimes
Comment: See VIII. a) above.				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
Comment: This property is not within a 100-year flood hazard area.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				\boxtimes
Comment: See VIII. g) above.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				\boxtimes
Comment: See VIII. g) above.				
j) Inundation by seiche, tsunami, or mudflow?				\boxtimes
Comment: The site is several miles inland from the San Francisco Bay Shoreline. The potential for inundation due to tsunami and/or seiche is considered remote.				

Significant Potentially Unless Less Than Significant Mitigation Significant No Impact Incorporation Impact Impact IX. LAND USE AND PLANNING - Would the project: X a) Physically divide an established community? Comment: The project area is a combination of single-family homes and industrial uses. There is no nearby neighborhood or convenience shopping and the proposed center will serve the existing and proposed homes in the area. The proposal will be compatible with other uses in the vicinity and will not conflict with the surrounding neighborhood. b) Conflict with any applicable land use plan, policy, or regulation of an X agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? Comment: This site is presently zoned Industrial (I) District and shown on the General Plan as Industrial Corridor (ZC). The proposal is to amend the General Plan to Neighborhood Commercial and rezone the property to Neighborhood Commercial District (CN). c) Conflict with any applicable habitat conservation plan or natural X community conservation plan? Comment: There is no habitat conservation plan or natural community conservation plan that applies to the subject site or surrounding area. X. MINERAL RESOURCES -- Would the project: a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **Comment:** There are no known mineral resources on the site. b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? Comment: See X. a) above.

Potentially

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
Comment: The project site has frontage on Industrial Parkway West, a major arterial serving surrounding industrial and residential uses and east and west flowing traffic through the area. Both passenger vehicles and heavy truck traffic on the street will have a noise impact on the commercial development on the site. Charles M. Salter Associates Inc. prepared a noise Impact Assessment for the concurrent project immediately east of this site. On April 2 and 3, 2001, noise measurements were made on that site consisting of two continuous 24-hour measurements and three short-term 15- minute measurements. The two 24-hour measurements were in the range of 77 and 78 Ldn and the short-term measurements were Ldn 62 and 63. With normal construction practices including fixed windows and an air circulation system typical in commercial buildings, these noise levels can be reduced to a level inside the building so employees and customers will not be subject to adverse noise impacts.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				\boxtimes
Comment: See XI. a) above.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				\boxtimes
Comment: The types of uses permitted in a neighborhood shopping center are primarily the sale of convenience goods and services. These are uses that will not increase noise levels in the project vicinity. d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		\boxtimes		
Comment: During construction of the project, there may be an increase of ambient noise levels in the vicinity. Hours of construction should be limited to daytime activity and hour limitation placed on Saturday and Sunday construction activity. Construction equipment should have sound reduction devices to reduce noise impacts on surrounding properties. Due to acceptable ambient noise level, no mitigation is required under Title 24 requirements.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impac
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.				
Comment: The project is not located within an airport land use plan or within two miles of a public airport or public use airport.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				
Comment: See XI. e) above.				
XII. POPULATION AND HOUSING Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			\boxtimes	
Comment: The construction of a 6,000 square foot neighborhood shopping center will not result in a substantial growth of population in the area. The relatively small shopping center will serve primarily existing single-family homes in the vicinity and the new homes proposed across Stratford Road from the shopping center site.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				\boxtimes
Comment: This is a vacant site that contains no housing.				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				\boxtimes
Comment: This is a vacant site and there will be no displacement of people.				
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in				

order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impac
XV. TRANSPORTATION/TRAFFIC Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
Comment: The subject property is presently zoned Industrial (I) District. This zoning classification permits a wide range of industrial uses including manufacturing, research and development and warehousing. In addition, it permits administrative and professional offices and limited retail uses. Because industrial and office uses have a lesser parking requirement than neighborhood commercial, this site will accommodate a larger industrial or office building than development under Neighborhood Commercial zoning. Therefore, development of the site under the current industrial zoning may result in a higher level of traffic generation than under Neighborhood Commercial zoning. The signalized intersection at Industrial Parkway West and Stratford Road has sufficient capacity to handle the additional traffic generated by the proposed use.				
Since the proposed shopping center will serve existing and proposed single-family homes in the vicinity, some residents will visit the center on their way to and from their homes. Some will also walk or bicycle to the center. This will reduce the traffic generated by the center.				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				
Comment: The traffic generated by this project will not exceed a level of service standard established by the county congestion management agency. Because of its small size, this center will generate a low level of traffic.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				\boxtimes
Comment: This project will not impact air traffic patterns.				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
Comment: The three street frontages of this parcel are fully developed. No driveways are proposed on Industrial Parkway West, a major arterial. Driveways will be restricted to Pacheco Way and Stratford Road both residential collector streets with relatively low traffic volumes.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
Comment: See XVI. a) above.		•		
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				\boxtimes
Comment: See XVI. a) above.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
Comment: See XVI. a) above.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				\boxtimes
Comment: See XVI. a) above.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				\boxtimes
Comment: The project site will be served by a private trash collecting company. Refuse will be taken to a local transfer station for separation before being trucked to a landfill site. Tenants of the commercial building will be provided with all necessary waste recycling containers and will be required to comply with all statutes and regulations related to solid waste.			. *	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				\boxtimes
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Comment: See XVI. a) above. f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Comment: The project site will be served by a private trash collecting company. Refuse will be taken to a local transfer station for separation before being trucked to a landfill site. Tenants of the commercial building will be provided with all necessary waste recycling containers and will be required to comply with all statutes and regulations related to solid waste. g) Comply with federal, state, and local statutes and regulations related to				

Comment: See XVI f) above.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
Comment: Because of the small scale of the proposed project and the fact that the site is surrounded by existing development, implementation of the proposed commercial development is not anticipated to result in significant cumulative impacts. No special-status wildlife species were observed on the site and none are expected due to the extent of the disturbance of the site from surrounding development and activity.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
Comment: See XVII. a) above.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				\boxtimes
Comment: See XVII. a) above.				

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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?				\boxtimes
Comment: Because of its location and three street frontages, this project will have excellent access for emergency vehicles.				
f) Result in inadequate parking capacity?				
Comment: The proposed development has a parking ratio of one space per 200 square feet of floor area. With a total floor area of 6,000 square feet, 31 spaces are provided. The types of uses that may occupy a small neighborhood shopping center include retail establishments characterized by hand-carried merchandise in which a customer makes quick purchases in small quantities, barber shops, beauty shops, nail care and similar uses. The parking requirement for these uses in a building under 10,000 square feet ranges from 1 space for 175 square feet of floor area to 1 space per 200 square feet of floor area. If the center was occupied by a range of Neighborhood Commercial uses, they could be short of the required parking by several spaces based on the proposed ratio of one space per 200 square feet of floor area. The impact will probably not be significant since there is on-street parking along the Stratford Road and Pacheco Way frontages of the site.				
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				\boxtimes
Comment: This neighborhood shopping center located adjacent to a single-family neighborhood will encourage the use of bicycles and walking for transportation by nearby residents. It will not conflict with any policies supporting alternative transportation.				
XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			\boxtimes	
Comment: The project has been reviewed by the City of Hayward Utilities (Water) Division. Water and sewer service will be made available subject to the standard conditions and fees in effect at the time of application for service. The project plan shall include storm water pollution prevention and control measures for the operation and maintenance of the project during and after construction.				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impaci
Fire protection?			\boxtimes	
Comment: The project site has access from three street frontages. Industrial Parkway West is a primary response route and driveways on both Stratford Road and Pacheco Way will maximize access by fire equipment and personnel.				
Police protection?			\boxtimes	
Comment: Because of the small scale of this project and its location on a major arterial, public service impacts related to police protection are anticipated to be less than significant.				
Schools?				\boxtimes
Comment: This project will have no impact on schools.				
Parks?				\boxtimes
Comment: This project will not impact parks.				
Other public facilities?				\boxtimes
Comment: Because of its small size, this project will not impact any other public facilities.				
XIV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				\boxtimes
Comment: This commercial project will not increase the use of parks or recreational facilities.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				\boxtimes
Comment: This commercial project will not include recreational facilities or require the construction or expansion thereof.				

August 13, 2001

Norman Weisbrod Project Planner City Of Hayward 777 "B" Street Hayward, CA 94541

AUG 1 7 2001 PLANNING DIVISION

Subject:

General Plan Amendment

Reference: 01-190-07/01-110-04 GPA

Industrial Parkway West & Stratford Road

Dear Mr. Weisbrod;

We have received the official notice regarding the request to amend the general plan for the subject project. We the undersigned, are property owners on Welford Lane, which is adjacent to the project site.

We are concerned regarding the impacts of the proposed development to our neighborhood. We anticipate an increase in noise and a decrease in privacy to adjacent residents due to this development. As we understand, the proposed layout of the building runs along the western property line with proposed driveways on Stratford and Pacheco (See Figure 1). The development may also include a courtyard with seating and tables.

We recommend that the building be laid out along the west and north property lines ("L" shaped - See Figure 2). This layout will create a separation between the commercial building and the adjacent residents along Welford Lane. This separation would be similar to the recently constructed City water pump station in the adjacent property to the west. A concrete soundwall (approximately 12' high) was constructed along the north property line to deflect noise generated from the pump station.

Also, the proposed driveways should be located on Stratford and Industrial. Having driveways on Stratford and Pacheco will force all vehicles to turn left or right onto Stratford to access the site thereby increasing the turning movements and potential accidents at the intersection. The number two lane on westbound Industrial has sufficient width along the site's frontage to accommodate a right turning vehicle into the proposed driveway without affecting the through vehicles.

We look forward to your response to our concerns. Thank you.

Sincerely,

Ed Goonelista Patricia Vicente RYAN NGWYEN 1808 Welford Lane 1802 Welford LM 1807 WELFORD LM

Trang Le 1620 welford Lane cc: Roberta Cooper, Mayon

ATTACHMENT E

IMDUSTRIAL PKWY	PROPOSED BUILDING DRIVEWAY STRATFORD RD FIGURE 1	WELFORD
INDUSTRIAL PKWY	PROPOSEDING DRIVEWAY STRAT PORD RD. FIGURE 2	WELFORD